

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 96 of 2017

Dubeshwar Dehari S/o Guru Prasad Chainman, Aged About 47 Years Konta,
District Sukma, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue & Apada Department,
Ministry, Mahanadi Bhawan, P.S. Rakhi, New Raipur, (Chhattisgarh)
2. Collector, (Land Record Section), Sukma, Tahsil And District Sukma,
(Chhattisgarh)
3. Sub Divisional Officer, Sukma, Tahsil And District Sukma, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Ajay Shrivastava, Advocate
For Respondent-State	:	Shri D.R. Minj, Dy. Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/01/2017

Heard on admission.

1. The grievance of the petitioner is that even though the petitioner has been transferred vide order dated 21st July, 2016, the petitioner is not being relieved.
2. Learned State counsel submits that presumably, the reason that the reliever of the petitioner has not come and the petitioner has been posted at a core scheduled area, he has not been relieved.
3. The issue regarding implementation of transfer order, has been considered by this Court in the case of **Ms. Manisha Agrawal Vs. State of Chhattisgarh and Others, 2015(4) C.G.L.J.182**, wherein relying upon several judgments of the Supreme Court, it has been held by this Court that once the employee has been transferred, it is required to be complied with unless it is modified, varied

or cancelled.

4. Therefore, in these circumstances, either the transfer order has to be implemented or the State has the option to cancel, vary or modify or keep in abeyance.
5. Accordingly, this petition is disposed off with the direction that if the transfer order of the petitioner is not cancelled, varied or kept in abeyance by the respondent-Transferring Authority till date, the petitioner would be required to be relieved towards implementation, execution of the transfer order.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen